

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TREMAYNE CARROLL,

Plaintiff,

v.

WARDEN COVELLO, et al.,

Defendants.

No. 2:20-cv-1707 KJN P

ORDER AND FINDINGS &  
RECOMMENDATIONS

By order filed December 14, 2020, plaintiff's complaint was dismissed and thirty days leave to file an amended complaint was granted. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court's order.<sup>1</sup>

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

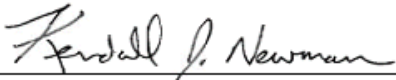
These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen** days after being served with these findings and recommendations, plaintiff may file written objections

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<sup>1</sup> Plaintiff's motion for injunctive relief and the appointment of counsel was filed after the screening order, but signed on December 10, 2020, before the screening order issued.

1 with the court and serve a copy on all parties. Such a document should be captioned  
2 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that  
3 failure to file objections within the specified time may waive the right to appeal the District  
4 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 Dated: February 22, 2021

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8 KENDALL J. NEWMAN  
9 UNITED STATES MAGISTRATE JUDGE

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